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**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF UTAH, CENTRAL DIVISION**

In re:	Case No. 19-21380
BRANDON T. WISE	Chapter 13
Debtor.	Judge R. KIMBALL MOSIER
	Filed Electronically

**PRECONFIRMATION MOTION TO MODIFY CHAPTER 13 PLAN
AND TO CONFIRM SUCH PLAN WITHOUT NOTICE OR HEARING**

Under 11 U.S.C. § 1323, the Debtor hereby modifies the most-recently filed Chapter 13 plan and moves the court for confirmation of the plan as modified without further notice and hearing. In support thereof, the Debtor represents as follows:

1. The most recently-filed plan is hereby modified as follows:

Section	Previously-Filed Plan Provision	Plan as Modified
2.3	-NONE-	<p>For the next three tax years of 2019, 2020 and 2021, the Debtor shall pay into the Plan the net total amount of yearly state and federal tax refunds that exceed \$1,000 for each of the tax years identified in such section. If in an applicable tax year, the Debtors receive an Earned Income Tax Credit ("EIC") and/or an Additional Child Tax Credit ("ACTC") on their federal tax return, the Debtor may retain up to a maximum of \$2,000 in tax refunds for such year based on a combination of the \$1,000 allowed above plus the amount of the EIC and/or ACTC credits up to an additional \$1,000. On or before April 30 of each applicable tax year, the Debtor shall provide the Trustee with a copy of the first two pages of filed state and federal tax returns. The Debtor shall pay required tax refunds to the Trustee no later than June 30 of each such year. However, the Debtor is not obligated to pay tax overpayments that have been properly offset by a taxing authority. Tax refunds paid into the Plan may reduce the plan term to no less</p>

		than the Applicable Commitment Period, but in no event, shall the amount paid into the Plan be less than thirty-six (36) Plan Payments plus all annual tax refunds required to be paid into the plan.
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2. The modifications do not negatively impact secured, priority, or nonpriority unsecured creditors.

3. Under § 1323(c), any holder of a secured claim that has accepted or rejected the prior plan is deemed to have accepted or rejected, as the case may be, the plan as modified, unless the modification provides for a change in the rights of such holder from what such rights were under the plan before modification, and such holder changes such holder's previous acceptance or rejection.

THEREFORE, because the modification does not require notice to creditors, the Debtor requests the court confirm the plan as modified without further notice or hearing.

Dated this 6th day of May 2019.

Beehive Advocates

/s/

Brian Wurtz

Attorney for Debtor

CERTIFICATE OF SERVICE

The undersigned hereby certifies that on the 6th day of May, 2019, I caused a true and correct copy of the foregoing *Preconfirmation Motion to Modify Chapter 13 Plan and to Confirm Such Plan without Notice or Hearing* to be served electronically to all parties entitled to receive CM/ECF notice in this case.

/s/

Brian Wurtz